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pivot axis (9) of the locking lever (6), with a longitudinal axis of the spindle (4);  
and

wherein, the slider (8) is formed as an annular support member having a predetermined radius and an axis of which extends parallel to the pivot axis.

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### REMARKS

Reconsideration of the subject application in view of the present amendment is respectfully requested.

By the present amendment, Claims 10, 14 and 17 have been cancelled. Claims 18-20 have been added. Claims 11 and 15 have been amended

Based on the foregoing amendments and the following remarks, the application is deemed to be in condition for allowance, and action to that end is respectfully requested.

#### **I. Rejection Under 35 U.S.C. § 112**

The Examiner rejected claims 1-9 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite, pointing out specific language in Claims 10 and 15 rendering these claims and claims dependent thereon indefinite. As noted above, Claim 10 has been cancelled. Claim 15 has been amended to delete

the language objected to by the Examiner. It is respectfully submitted that all of the claims presently pending in the application, namely Claims 11-13, 15, 16 and 18-20 comply with all of the requirements of 35 U.S.C. §112.

## **II. Rejection Over the Prior Art**

The Examiner rejected Claims 10-17 under 35 U.S.C. § 102(b) as being anticipated by Rudolf, U.S. Patent No. 5,058,909 (Rudolf). It is respectfully submitted that Claims 11-13, 15, 16 and 18-20 are patentable over Rudolf.

Specifically, Claim 18 recites that the slider (8), which applies a force to the locking spindle (4), is formed as an annular support member having a predetermined radius and an axis of which extends parallel to the pivot axis (9) (of the locking lever (6)). This is not disclosed in Rudolf.

Rudolf was discussed in detail in the previous amendment, and it would be superfluous to repeat it here. Applicant would only like to point out that the “annular extent 34” is not a slider as described in the present invention. The “annular extent 34” is an axially displaceable thrust member (column 5, lines 25-34), whereas in the present invention, the slider (8) always slides along the contact surface (11) of the locking spindle (4).

Further, in Rudolf, the axis of the member 34 lies in the plane of the drawing (Fig. 1), whereas the pivot axis of the handle 32 is perpendicular to the plane of the

drawings, *i.e.*, the axes of the member 34 and the handle 32 are mutually perpendicular.

In view of the above, it is respectfully submitted that Rudolf does not disclose each and every element covered by Claim 18, as required by the case law for rejection under 35 U.S.C. §102 (pertinent cases have been cited in the previous amendment).

Since Rudolf '909 fails to disclose each and every feature of independent Claim 18, Rudolf '909, as a matter of law, does not anticipate the present invention, as defined by said independent claim.

In view of the above, it is respectfully submitted that Rudolf '909 does not anticipate or make obvious the present invention as defined in Claim 18, and the present invention, as defined by said claim, is patentable over Rudolf '909.

Claims 11-13, 15, 16 and 19 depend on Claim 18 and are allowable for the same reasons Claim 18 is allowable and further because of specific features recited therein which, when taken alone and/or in combination with features recited in Claim 18 are not disclosed or suggested in the prior art.

Claim 20 relates to a tool with a quick-action device of Claim 18 and is allowable for the same reasons Claim 18 is allowable.

## CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects, in order to place the case in condition for final allowance, then it is respectfully requested that such amendment or correction be carried out by Examiner's amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully Submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 17, 2003.

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